

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Katharine S. Hayden
:
v. : Crim. No. 11-554
:
GREGORY CICCONE : CONTINUANCE ORDER

This matter having come before the Court on the joint application of Paul J. Fishman, United States Attorney for the District of New Jersey (by Joseph Mack, Assistant U.S. Attorney), and defendant Gregory Ciccone (by K. Anthony Thomas, Assistant Federal Public Defender) for an order granting a continuance of the proceedings in the above-captioned matter, and the defendant being aware that he has a right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has consented to an additional continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Discovery made available in this case involves a large volume of paper files which may necessitate a lengthy review by defense counsel;

2. Taking into account the exercise of diligence, therefore, the facts of this case require that defense counsel be

permitted a reasonable amount of additional time for effective preparation in this matter; and

3. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render trial of this matter unnecessary; and

4. Pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, on this 14th day of August 2012,

ORDERED that motions shall be filed by October 9, 2012, opposition briefs shall be filed by October 30, 2012, reply briefs shall be filed by November 3, 2012, the motions hearing date is scheduled for November 27, 2012 at 10:00 a.m.; pretrial conference is scheduled for December 17, 2012 at 10:00 a.m. and the trial is set for January 23, 2013 commencing at 9:00 a.m.; and it is further,

ORDERED that this action be, and hereby is, continued until the date of trial, January 23, 2013, and the period between and including today's date through the date of trial, January 23, 2013, shall be excluded time under the Speedy Trial Act of 1974, Title 18, United States Code, Section 3161(h)(7).

/s/ Katharine S. Hayden
KATHARINE S. HAYDEN
United States District Judge

K. Anthony Thomas, AFPD
Counsel for Gregory Ciccone